



# CITY OF MEMPHIS

## COUNCIL AGENDA

April 5, 2016

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

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### CALL TO ORDER by the Sergeant-at-Arms

### INVOCATION

*Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.*

### PLEDGE OF ALLEGIANCE

### CALL OF ROLL by the Comptroller

### APPROVAL OF PREVIOUS MEETING MINUTES (March 15, 2016)

### ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

#### PRESENTATIONS AND RECOGNITION OF VISITORS

1. RESOLUTION approving an honorary street name change of University Street for Dr. William "Bill" Troutt. This resolution is sponsored by Chairman Conrad and Councilman Jones.

ACTION REQUESTED: Adopt the resolution

2. RESOLUTION congratulating and honoring Cordova Middle Lady Cougars basketball team for winning the 2016 State Championship. This resolution is sponsored by Councilman Colvett.

ACTION REQUESTED: Adopt the resolution

**PUBLIC HEARING**

3. RESOLUTION approving a street/alley closure located on Coughlin Drive between Brooks Road and Stonebrook Avenue, containing 2.058 acres in the Employment (EMP) District. This resolution is sponsored by the Office of Planning & Development. (Held from 4/15;5/20;10/7;10/21;11/18;12/16;1/20;3/17;4/21;7;21;10/6)  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. SAC 13-605

Applicant: City of Memphis Engineering Division  
Bill Wood, Pickering Firm – Representative

Request: Close and vacate a portion of Coughlin Drive Right-of-Way

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**25 NOTICES WERE MAILED ON MARCH 6, 2015**

**DIVISION OF PLANNING AND DEVELOPMENT**

4. RESOLUTION approving a street/alley closure beginning at the west right-of-way line of S. Claybrook Street extending westward a distance of approximately 509.92' to the east right-of-way line of S. Bellevue Boulevard, containing 0.90 acre or 39,204 square feet in the Campus Master Plan – 1 (CMP -1) District. This resolution is sponsored by the Office Planning & Development.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. SAC 16-02

Applicant: Methodist LeBonheur Healthcare (Richard Kelly, Director)  
Self Tucker Architects (Juan Self) – Representative

Request: Close Eastmoreland Avenue between S. Bellevue Blvd. and  
and S. Claybrook Street

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

**No Opposition at LUCB; No Public Hearing Required**

5. RESOLUTION approving a hotel/motel waiver for Wingate by Wyndham Hotel, located at 2270 N. Germantown Parkway. This resolution is sponsored by the Office of Planning & Development.  
Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. HMW 16-02

ACTION REQUESTED: Adopt the resolution



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## CONSENT AGENDA

### GENERAL ORDINANCE - FIRST READING (None)

### GENERAL ORDINANCE - SECOND READING

6. **ORDINANCE** amending Ordinance No. 5595, Title V, Chapters 20 and 40, of the Memphis Municipal Code to revise the definitions of “Hotel” and “Transient” and Section 5-40-5 Funding, up for S E C O N D reading. Ordinance No. 5614 is sponsored by Finance Division.

Boyd  
Chairman,  
Economic  
Development,  
Tourism &  
Technology  
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

### ZONING ORDINANCE - FIRST READING (None)

### ZONING ORDINANCE - SECOND READING

7. **ORDINANCE** rezoning the east side of Prescott Rd., 733' north of Raines Road, containing 5.0 acres in the R-8 District, up for S E C O N D reading. This ordinance is sponsored by the Office of Planning & Development.

Colvett  
Chairman,  
Planning &  
Zoning  
Committee

Case No. Z 16-01  
Ordinance No. 5613

Applicant: Delta Wholesale Liquors, Inc.  
Terry Searcy – Representative

Request: Re-zone from R-8 (Single-family Residential) to EMP  
(Employment) District

LUCB and OPD recommendation: Property be rezoned from R-8 to EMP

ACTION REQUESTED: Adopt the ordinance on Second reading

### ENGINEERING (None)

**NOTATIONS FROM OPD**

8. **NOTATIONS** from the Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

A. Case No. SUP 16-05

Located at 1740 Ridgeway Road, containing 2.06 acres in the Institutional; Single-Family Residential-10 (R-10) zoning district

Applicant: The Hutchinson School  
Solomito Planning-Brenda Solomito-Basar – Representative

Request: Special Use Permit to allow lighting to an existing recreational field

LUCB and OPD recommendation: APPROVAL, with conditions

B. Case No. PD 15-327 – PARKSIDE AT SHELBY FARMS PLANNED DEVELOPMENT

Located on the northwest corner of Whitten Road and Mullins Station Road, containing 54.98 acres in the Residential Single Family (R-8) District and governed by Westchester Square Planned Development (P.D. 93-335)

Applicant: DB Development Company  
Solomito Land Planning – Representative

Request: Planned development to allow garden-style and mid-rise apartments with professional and medical offices, including limited ground floor commercial land uses

LUCB and OPD recommendation: APPROVAL, with conditions

**ACTION REQUESTED: Set a date of public hearing**

**SUGGESTED DATE: April 19, 2016**



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## MLGW FISCAL CONSENT

9. RESOLUTION awarding Contract No. 11779, Mobile Sweeping, to Horizon of Memphis, Incorporated, based on agreed upon rates, in the funded amount of \$53,304.36.
10. RESOLUTION awarding Contract No. 11793, Over-the-Phone Language Interpreter Service, to Universe Technical Translation, Incorporated, in the funded amount of \$130,020.00.
11. RESOLUTION approving the amendment of Purchase Order No. 150153 to Nicor, Inc., for #7 composite meter box lids, in the funded amount of \$226,300.
12. RESOLUTION approving the payment of an invoice for the 2016 annual dues, to the American Public Power Association, in the amount of \$119,109.19.
13. RESOLUTION approving Change No. 10 to Contract No. 10793, Professional Portfolio Software, with Advent Software, Incorporated, in the funded amount of \$31,964.64.  
(This change is to renew the current contract for an additional term for the period covering May 11, 2016 through May 10, 2017. This renewal reflects a 2.96% increase from the previous year due to continued development and enhancement of the products, as well as the costs to support the products. MLGW is requesting approval of continuous maintenance support of the acquired system, which can only be performed by Advent Software, Incorporated.)
14. RESOLUTION approving Change No. 2 to Contract No. 11642, Environmental Consulting Services, with BH&M Environmental Consultants, LLC, in the funded amount of \$5,000,000.00. (This change is to renew the current contract for the second of four annual renewal terms covering the period April 14, 2016 through April 13, 2017, with no increase in rates from the previous year.)



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## REGULAR AGENDA

### GENERAL ORDINANCES – THIRD AND FINAL READING

15. **ORDINANCE** amending Chapter 25 of the City of Memphis Code of Ordinances, Governing the City Pension System, up for T H I R D and F I N A L reading. Ordinance No. 5611 is sponsored by Human Resources.
- Spinosa  
Chairman,  
Personnel,  
Intergovernmental  
& Annexation  
Committee
- ACTION REQUESTED: Take whatever action Council deems advisable
16. **ORDINANCE** amending Chapter 21, Article VII of the City of Memphis, Code of Ordinances by Amending Section 21-248, Memphis Police Central Records Charges and Fees, up for T H I R D and F I N A L reading. Ordinance No. 5612 is sponsored by Police Services.
- Morgan  
Chairman,  
Public Safety  
& Homeland  
Security Committee
- ACTION REQUESTED: Take whatever action Council deems advisable

**ENGINEERING DIVISION** (None)

**EXECUTIVE DIVISION** (None)

**FINANCE & ADMINISTRATION** (None)

**DIVISION OF FIRE SERVICES** (None)

**DIVISION OF GENERAL SERVICES** (None)

### **DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

17. **RESOLUTION** designating and empowering the Memphis Housing Authority to hold the statutorily mandated public hearing on the necessity of the adoption of the redevelopment plan for the South City Area, known as the South City urban Renewal Plan. This resolution is sponsored by Housing & Community Development/Memphis Housing Authority.
- Brown  
Chairman,  
Housing &  
Community

Development  
Committee

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES** (None)

**INFORMATION SERVICES** (None)

**LAW DIVISION** (None)

**MLGW DIVISION** (None)

**DIVISION OF PARKS AND NEIGHBORHOODS** (None)

**DIVISION OF POLICE SERVICES** (None)

**DIVISION OF PUBLIC WORKS**

18. RESOLUTION replacing existing sewer lines with larger sewer lines to accommodate an increase in flow near the University of Memphis campus, in the amount of \$663,056.00. This resolution is sponsored by Public Works Division.  
Hedgepeth  
Chairman,  
Public Works,  
Transportation  
& General Services  
Committee

ACTION REQUESTED: Adopt the resolution

19. RESOLUTION approving the return of real property located at 1325 Glenn, Memphis, Tennessee 38106, to its previous owner and further described as Parcel 025058 00009. The City is returning the property because it had no knowledge of the transfer, didn't agree to or authorize the transfer and also has no need for the property. This resolution is sponsored by General Services.  
Hedgepeth  
Chairman,  
Public Works,  
Transportation  
& General Services  
Committee

ACTION REQUESTED: Adopt the resolution

**APPEARANCE CARDS FOR PUBLIC SPEAKING**

**ADJOURNMENT**

**ADD-ONS**

20. RESOLUTION allowing the City of Memphis through the Division of Police Services to accept grant funds in the amount of \$19,500.00 from the Tennessee Department of Finance and Administration, Office of Criminal Justice Programs. This resolution is sponsored by Police Services.

Morgan  
Chairman,  
Public  
Safety  
Committee

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION accepting and appropriating \$2,500.00 in grant funds from the TN Department of Agriculture Forestry Division Community Tree Planting Program to plant 29 trees along the border of Galloway public golf course. Resolution also amends the FY2016 Operating Budget. A 50% local match requirement of \$2,500.00 provided by PK07092 G.O. Park Rehab and Maintenance. This resolution is sponsored by Park Services.

Swearengen  
Chairman,  
Parks  
Committee

ACTION REQUESTED: Adopt the resolution

22. RESOLUTION accepting and appropriating \$40,000.00 in grant funds from the TN Department of Agriculture Forestry Division to fund the hiring of a City Forester to assist in the establishment of an Urban Forestry Program beginning July 1, 2016. Resolution also amends the FY2016 Operating Budget. This resolution is sponsored by Park Services.

Swearengen  
Chairman,  
Parks  
Committee

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION authorizing the issuance of not to exceed \$150,000,000.00 General Obligation Bonds, and bond anticipation notes issued as commercial paper, of the City of Memphis, Tennessee, pursuant to the local government Public Obligations Act of 1986, for the purpose of financing the cost of Public Works projects in the City. This resolution is sponsored by Finance Division.

Ford  
Chairman,  
Budget  
Committee

ACTION REQUESTED: Adopt the resolution

24. RESOLUTION authorizing the sale, issuance, and delivery of not to exceed \$77,000,000.00 aggregate principal amount of General Improvement Bonds for the purpose of paying at maturity the principal of certain General Obligation Commercial Paper of the City and amending the Debt Management policy and procedures of the City. This resolution is sponsored by Finance Division.

Ford  
Chairman,  
Budget  
Committee

ACTION REQUESTED: Adopt the resolution

25. RESOLUTION accepting funding in the amount of \$127,500.00 from the Tennessee Department of Environment and Conservation grant for 14 months operation of the Household Hazardous Waste facility. This resolution is sponsored by Public Works

Hedgepeth  
Public Works



&  
Transportation  
Committee

Division.

ACTION REQUESTED: Adopt the resolution

26.  
Consent

**ORDINANCE** to require grocery stores applying for a “food retail store wine license” to meet the same distance requirements of off-premise beer sales, which are less stringent than the distance requirements for liquor/wine sellers, in preparation for Wine in Grocery store sales, up for F I R S T reading. Ordinance No. 5615 is sponsored by Councilman Morgan.

ACTION REQUESTED: Adopt the ordinance on First reading

27.  
Conrad  
Chairman,  
Executive  
Session

RESOLUTION consenting to an extension of the negotiations deadline between the City Labor Associations and the City of Memphis. This resolution is sponsored by Human Resources.

ACTION REQUESTED: Adopt the resolution

**ACTION TAKEN BY COUNCIL ON THIS DATE**

1. & 2 – Approved
3. Held until May 3, 2016
4. Through 7 – Approved
8. Public Hearing Set for April 19, 2016
9. Through 22 – Approved
23. & 24 – Held until April 19, 2016
25. Through 27 – Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF MARCH 15, 2016 MEETING**

Approved

**ACTION TAKEN BY COUNCIL ON THE MINUTES OF ITEMS #20, #21, #22, #25 & #27 FROM TONIGHT’S MEETING**

Approved